

CALIFORNIA COASTAL COMMISSION

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Wed-8

March 5, 2003

TO: Coastal Commissioners and Interested Public

FROM: Peter M. Douglas, Executive Director
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SUBJECT: LEGISLATIVE REPORT FOR MARCH 2003

CONTENTS This report provides summaries and status of bills that affect the Coastal Commission and California's Coastal Program as well as bills that staff has identified as coastal related legislation.

Note: This information can be accessed through the Commission's World Wide Web Homepage at www.coastal.ca.gov

Please contact Sarah Christie, Legislative Coordinator, at (916) 445-6067 with any questions on the material contained in this report.

PRIORITY LEGISLATION

AB 1XX (Jackson)

This bill would fix the terms of Coastal Commissioners appointed by the Legislature at 4 years, and remove the ability of those appointing authorities to remove commissioners "at will." The initial terms would be staggered, with half of the commissioners serving two year terms, and half serving four year terms, at the discretion of the appointing authority. The bill provides that commissioners can serve successive four year terms, and that a seat shall become vacant 60 days after the expiration of term, unless the appointing authority has made an appointment or reappointment.

Introduced 01/23/03
Status Chaptered with Secretary of State, 02/20/03

AB 16 (Jackson) Oil and Gas Development

A reintroduction of AB 556 and AB 2327 from previous sessions, this bill would require that all new or expanded oil and gas production produced offshore must be transported onshore by pipeline, rather than by tanker or barge. Once onshore, the oil must be shipped via pipeline to an onshore processing facility. It also requires the use of best achievable technology for well abandonment.

Introduced 012/02/02

AB 90 (Wyland) Coastal Commission: Membership

This bill would fix terms for all coastal commissioners at 4 years, but provide that the Governor's appointees continue to serve at the pleasure of the Governor.

Introduced 01/08/03

AB 105 (Wiggins) Agriculture Land Preservation

This bill would repeal the provisions establishing the Coastal Farmland Preservation Program, and appropriate to the Department of Conservation \$48,000,000 from Proposition 40 funds of those proceeds from the bond act for grants under the California Farmland Conservancy Program.

Introduced 01/10/03

AB 121 (Simitian) Large Passenger Vessels: Water Quality

Federal law prohibits any state from prohibiting the discharge of sewage or graywater from large passenger vessels, unless the state applies to, and receives approval from, the United States Environmental Protection Agency. The bill would direct the SWRCB to apply for such authority with the EPA, and authorize the state to prohibit the discharge of both sewage and gray water by large passenger vessels operating in the marine waters of the state if the request is approved by the EPA administrator. The bill would require an owner or operator of a large passenger vessel, as defined, to submit quarterly reports to the SWRCB itemizing the offloading or release of waste material from that vessel that occurred during the previous calendar quarter while the vessel was located in the marine waters of the state.

Introduced 02/12/02

AB 204 (Nation) Motor Vehicles

This bill would authorize the Coastal Conservancy to establish the Transportation Fund for Clean Water Subaccount, for the acquisition of open space, and the protection, restoration, and enhancement of streams, creeks, wetlands and watersheds. The bill would impose a fee of up to \$4, to be collected by the Department of Motor Vehicles, upon the registration or renewal of registration of every motor vehicle registered in the county of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, or Sonoma for purposes of funding the account, should at least three of those counties choose to participate in the program. Ten percent of the funds collected would go to the Regional Water Quality Control Board to fund transportation-related water quality projects.

Introduced 01/28/03

AB 260 (Jackson) Litter

This bill declares that Caltrans is devoting insufficient attention to litter cleanup on state highways in environmentally sensitive areas, and would require the department to assign a high priority to litter cleanup along state highway segments adjoining streams, rivers, beaches, the ocean, and other environmentally sensitive areas.

Introduced 02/04/03

AB 314 (Kehoe) Desalination Facilities

This bill declared to be the established policy of this state to facilitate the development of desalination projects, and that these projects should be eligible for assistance and funding on an equal basis with projects for water supply reliability and efficiency.

Introduced 02/07/03

AB 1212 (Pavley) Coastal Development: Permits

This bill would require that any coastal development permit issued for the purpose of sand replenishment must include a condition for onsite monitoring, and prohibit any the permit from being issued until the applicant provides a plan for onsite monitoring and supervision.

Introduced 02/21/03

SB 18 (Burton) Sacred Sites

This is a spot bill relating to the protection of Native American sacred sites.

Introduced 12/02/02

SB 68 (Alpert) Water Quality: San Diego Bay

This bill would establish the San Diego Bay Advisory Committee for Ecological Assessment. The bill would require the committee to prepare a report relating to the water quality and regulation of the San Diego Bay. The bill would require the committee to submit the report to the Legislature, the San Diego Regional Water Quality Control Board, the state board, and the California Coastal Commission. Representatives to the committee may be appointed by the Governor, the San Diego Board of Supervisors, the US Navy, the San Diego City Council, the San Diego Port Tenants Association, the Industrial Environmental Association, the San Diego Unified Port District, the San Diego Convention and Visitors Bureau, Scripps Institute of Oceanography, the City of San Diego Metropolitan Wastewater Department, the State Water Resources Control Board, the San Diego Regional Water Quality Control Board and the California Coastal Commission.

Introduced 01/17/03

SB 216 (Sher) Endangered Species Recovery

Existing law requires the Department of Fish and Game to develop and implement a recovery strategy pilot program for the Greater Sandhill crane, and authorizes the Fish and Game Commission, based on recommendations from the department, to identify four additional candidate, threatened, or endangered species for which the department is required to develop and implement a recovery strategy. Under existing law, the pilot program is repealed as of January 1, 2004. This bill would continue that existing law beyond January 1, 2004, by extending the repeal date to January 1, 2009.

Introduced 02/13/03

SB 236 (Alpert) Fishing: Bottom Trawling

This bill would prohibit the Department of Fish and Game from authorizing the use of trawl nets to take fish or other marine life from the ocean floor, unless the Fish and Game Commission determines that the operator of each vessel participates in an observer program, and that the bottom trawling does not produce a bycatch of more than 15% of the target catch, and does not cause significant environmental harm to the ocean floor. The bill would allow the use of trawl nets for scientific research and to target certain fish in a manner in which the nets and related gear do not contact the ocean floor. The bill also grants authority to the Fish and Game Commission to manage all bottom trawl fisheries not currently managed by the National Marine Fisheries Service, including Halibut, Sea Cucumber, Pink Shrimp, and Ridgeback, Spot and Golden Prawns.

Introduced 02/14/03

SB 445 (Kuehl) Coastal Access: State Coastal Conservancy

Existing law requires the State Coastal Conservancy to open at least three public accessways per year. This bill would modify that requirement by stating that this requirement only applies to the extent funds are available. The bill also shifts responsibilities previously assigned to the Director of the Commission to the Conservancy. These responsibilities include:

- Proof of non-profit eligibility
- Approval of a management plan
- Determination of whether the accessway is being managed properly for purposes of reclaiming or reassigning the interest in the property

Introduced

02/20/03